



INTERNATIONAL TRADE COMMISSION

Investigation No. 337-TA-829

CERTAIN TONER CARTRIDGES AND COMPONENTS THEREOF

CORRECTED NOTICE OF INSTITUTION OF INVESTIGATION

AGENCY: U.S. International Trade Commission

ACTION: Notice

SUMMARY: Notice is hereby given that a complaint was filed with the U.S.

International Trade Commission on January 23, 2012, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, on behalf of Canon, Inc., Canon U.S.A., Inc., and Canon Virginia, Inc. The complaint alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain toner cartridges and components thereof by reason of infringement of certain claims of U.S. Patent Nos. 5,903,803 (“the ‘803 patent”) and U.S. Patent No. 6,128,454 (“the ‘454 patent”). The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainants request that the Commission institute an investigation and, after the investigation, issue an exclusion order and cease and desist orders.

ADDRESSES: The complaint, except for any confidential information contained therein, is available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, S.W., Room 112, Washington, D.C. 20436, telephone (202) 205-2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on (202) 205-1810. Persons with mobility impairments

who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205-2000. General information concerning the Commission may also be obtained by accessing its internet server at <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

FOR FURTHER INFORMATION CONTACT: The Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2560.

AUTHORITY: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 C.F.R. § 210.10 (2011).

SCOPE OF INVESTIGATION: Having considered the complaint, the U.S. International Trade Commission, on February 21, 2012, ORDERED THAT –

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain toner cartridges and components thereof that infringe one or more of claims 128-130, 132, 133 and 139-143 of the '803 patent and one or more of claims 24-30 of the '454 patent, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainants are:

Canon Inc.

30-2, Shimomaruko 3-chome

Ohta-ku, Tokyo 146-8501, Japan

Canon U.S.A., Inc.

One Canon Plaza

Lake Success, NY 11042

Canon Virginia, Inc.

12000 Canon Boulevard

Newport News, VA 23606

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Clover Holdings, Inc.

2700 West Higgins Road, Suite 100

Hoffman Estates, IL 60169

Clover Technologies Group, LLC

d/b/a Depot International

f/k/a Depot America

f/k/a Image1 Products

4200 Columbus Street

Ottawa, IL 61350

Clover Vietnam Co., Ltd.

Bau Cap Hamlet

Nhuan Duc Commune

Cu Chi District

Ho Chi Minh City, Vietnam

Dataproducts USA, LLC

2001 Anchor Court

Thousand Oaks, CA 91320

Dataproducts Imaging Solutions S.A. de C.V.

Av Circulo de la Amistad 2701

Mexicali, BC 21210

Mexico

CAU, Inc.

d/b/a Cartridges Are Us

100 Raycraft Drive

Ithaca, MI 48847

Shanghai Orink Infotech

International Co., Ltd.

Room 307, No. 275-8 East Guoding Road

Shanghai, China 200433

Orink Infotech International Co., Ltd.

Unit 1205, 12F/L, Sino Plaza

255 Gloucester Road

Causeway Bay, Hong Kong

Zhuhai Rich Imaging Technology Co., Ltd.

F4, B1, No. 7 Pingxiyi Road

Nanping S&T Industry Community

Zhuhai, Guangdong Province, China 519060

Standard Image Co., Ltd.

a/k/a Shanghai Orink Co., Ltd.

Room 507-508, Building A

No. 1555, Kongjiang Road

Yangpu District, Shanghai, China 200092

Zhuhai National Resources & Jingjie Imaging Products Co., Ltd.

d/b/a Huebon Co., Limited

d/b/a Ink-Tank

3/F, No. 1 Industrial Building
Pingdong 2 Road
Nanping Science & Technology Park
Zhuhai, Guangdong Province, China 519060

Standard Image USA, Inc.
d/b/a Imaging Standard Inc.
1621 East Saint Andrew Place
Santa Ana, CA 92705

Printronic Corporation
d/b/a Printronic.com
d/b/a InkSmile.com
1621 East Saint Andrew Place
Santa Ana, CA 92705

Nukote, Inc.
2400 Dallas Parkway, Suite 230
Plano, TX 75093

Nukote Internacional de Mexico, S.A. de C.V.
Avenida del Parque 1175
Monterrey Technology Park

Cienega de Flores
Nuevo Leon, Mexico 65550

Acecom, Inc. - San Antonio
d/b/a InkSell.com
14833 Bulverde Road
San Antonio, TX 78247

Atman, Inc.
d/b/a pcRUSH.com
1325 East El Segundo Boulevard
El Segundo, CA 90245

Dexxon Digital Storage, Inc.
7611 Green Meadows Drive
Lewis Center, OH 43035

Discount Office Items, Inc.
302 Industrial Drive
Columbus, WI 53925

Deal Express LLC
d/b/a Discount Office Items

302 Industrial Drive
Columbus, WI 53925

Do It Wiser LLC
d/b/a Image Toner
1720 Cumberland Point Drive, Suite 21
Marietta, GA 30067

E-Max Group, Inc.
d/b/a Databazaar.com
12070 Miramar Parkway
Miramar, FL 33025

Green Project, Inc.
15335 Don Julian Road
Hacienda Heights, CA 91745

GreenLine Paper Company, Inc.
631 South Pine Street
York, PA 17403

IJSS Inc.
d/b/a TonerZone.com

d/b/a InkJetSuperstore.com

6380 Wilshire Boulevard, Suite 1018

Los Angeles, CA 90048

Imaging Resources, LLC

9434 Mason Avenue

Chatsworth, CA 91311

Ink Technologies Printer Supplies, LLC

7600 McEwen Road

Dayton, OH 45459

Myriad Greeyn LLC

2342 Croix Drive

Virginia Beach, VA 23451

Office World, Inc.

115 Cleveland Street

Eugene, OR 97402

OfficeWorld.com, Inc.

115 Cleveland Street

Eugene, Oregon 97402

OnlineTechStores.com, Inc.

d/b/a SuppliesOutlet.com

10381 Double R Boulevard

Reno, NV 89521

SupplyBuy.com, Inc.

230 4th Avenue N, Suite 300D

Nashville, TN 37219

Virtual Imaging Products Inc.

135 Ormont Drive, Unit #14/15

North York, Ontario, M9L 1N6

Zinyaw LLC

d/b/a TonerPirate.com

14781 Memorial Drive, Suite 1359

Houston, TX 77079

(c) The Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, S.W., Suite 401, Washington, D.C. 20436; and

(3) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 C.F.R. § 210.13. Pursuant to 19 C.F.R. §§ 201.16(d)-(e) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondents, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order, or both, directed against the respondents.

By order of the Commission.

James R. Holbein

Secretary to the Commission

Issued: February 23, 2012

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